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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/617,754	07/17/2000	Klaus-Josef Bengler	951/48944	8674

7590

07/08/2003

CROWELL & MORING LLP
Intellectual Property Group
P O Box 14300
Washington, DC 20004

EXAMINER :

TRAN, TUAN A

ART UNIT

PAPER NUMBER

2682

DATE MAILED: 07/08/2003

10

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/617,754

Applicant(s)

BENGLER, KLAUS-JOSEF

Examiner

Tuan A Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 July 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Breed et al. (6,405,132) in view of Thomason (6,317,039).

Regarding claims 7-9, Breed discloses an arrangement for communication between a first party in a vehicle and a second external party (See fig. 5), the arrangement comprising: on-board navigation and sensory systems for providing information concerning traffic in an environment outside of the vehicle wherein the sensory system comprises an image acquisition system for providing an image of the environment outside of the vehicle (See figs. 4-6 and col. 70 lines 37-44); extracting means for extracting portions of the information which are relevant to a traffic situation in the environment outside of the vehicle (See figs. 5-6 and col. 70 lines 45-55, col. 72 line 63 to col. 73 line 36); and communication system for transmitting the extracted relevant information from the first party to the second external party (See fig. 5 and col. 70 lines 18-44, col. 74 lines 58-61). However, Breed does not mention that the communication system for simultaneously transmitting telephone conversation between the first and second party and the relevant traffic information from the first party to the

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second external party. Thomason teaches a wireless video audio data remote system 101 that allows both telephone conversation (audio data) and visual image (video data) to be transmitted simultaneously to a external party (See figs. 2, 6 and col. 1 lines 57-64, col. 2 lines 22-24, col. 3 line 41 to col. 5 line 30, col. 7 line 64 to col. 8 line 29).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply Thomason's teaching in modifying an arrangement as disclosed by Breed for the advantage of allowing the external party to monitor as well as to advise/control the first party dependent upon the real-time situation of the first party.

Claims 1-3 and 6 are rejected for the same reasons as set forth in claims 7-9, as method.

Regarding claims 4-5, Breed & Thomason disclose as cited in claim 1. However, they do not mention that the relevant information is updated periodically, wherein periodic update occurs in time increments of several seconds. It would have been obvious to one of ordinary skill in the art at the time the invention was made to configure the system as disclosed by Breed & Thomason to update the relevant information, wherein periodic update occurs in time increments of several seconds in order to provide the external party correct updated information so that the external party can advise/control the first party effectively and further to reduce the workload and save power for the system.

Regarding claim 10, Breed & Thomason disclose as cited in claim 1. Breed further discloses the step of preparing a depiction of an environment surrounding the vehicle includes the step of obtaining object information from a sensing system (See fig.

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5 and col. 70 line 45 to col. 71 line 4, col. 72 lines 53-62) and obtaining map display information from a map database (See fig. 5 and col. 71 lines 17-29, col. 72 lines 53-62).

Regarding claim 11, Breed & Thomason disclose as cited in claim 7. Breed further discloses extracting means includes a means to provide map information concerning the location of the vehicle and means for combining portions of the map information with the information of the environment outside of the vehicle (See col. 74 lines 24-32).

Regarding claim 12, Breed & Thomason disclose as cited in claim 8, Breed further discloses automobile navigation system includes a sensor means for providing object information and navigation device for providing map display information (See figs. 4-5).

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Wilkinson et al. (6,122,521) discloses telecommunication locating system.
- Hull et al. (5,806,005) discloses wireless image transfer from a digital still camera to a networked computer.
- Ohmura et al. (6,125,326) discloses navigation system.

Response to Arguments

Applicant's arguments, see Remark, filed 4/16/2003, with respect to the rejection(s) of claim(s) 1-9 have been fully considered and are persuasive. Therefore,

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the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Tuan Tran** whose telephone number is **(703) 605-4255**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Vivian Chin**, can be reached at **(703) 308-6739**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

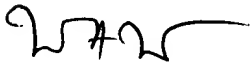
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Tuan Tran

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VIVIAN CHIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

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